

HANDOUTS

- February 13th Full CJAG Minutes

MEETING CALLED TO ORDER at 8:51 pm by Assistant County Manager/Chief of Staff Derrick Ramos

Welcome

Derrick Ramos welcomed CJAG members.

Agenda Item 1: Approval of February Minutes.

Discussion: February 2019 CJAG meeting minutes presented. March minutes approved as presented unanimously.

Agenda Item 2: Arrest Processing - Spencer Merriweather

Discussion: The focus of the most recent Law Enforcement Leadership meeting was the revised local bail policy and concerns raised around arrest processing procedures. DA Merriweather encouraged the Law Enforcement Leadership group to utilize the CJAG as a platform for raising many of the questions they presented during their discussion.

Open forum regarding arrest processing initiated by Assistant County Manager/Chief of Staff Derrick Ramos -

Discussion: Chief Deputy Sheriff Rodney Collins noted that there was an Arrest Processing (AP) Task Force Meeting on April 16th, 2019. The primary objective was to identify and respond to an issue which occurred during the ACC Tournament in which it took more than three hours to process a person due to a medical screening. Chief Collins noted that these issues were well documented, and a tracking system has been put in place in response to the incident.

DA Merriweather expressed that the amount of time processing directly impacts the amount of time officers spend in the field.

Chief Pennington expressed that some sergeants are not encouraging their officers to arrest because arrest processing has become burdensome and exacerbates already existing staffing challenges. It was noted that a central booking process managed by detention officers was discussed during the last AP meeting - this method was previously utilized by Mecklenburg County -. All law enforcement parties agreed that the primary objective of any action taken should be to help ensure that officers are able to return to their respective post as quickly as possible, particularly those in smaller towns. It was expressed that the inability to do so should be identified as a public safety issue. Currently, the average processing time is between one and one-half to two hours.

Chief Magistrate Khalif Rhodes recounted the early history of affidavits being dropped off at the Magistrates window. Conversely, the current process requires officers to

testify before a magistrate -. Mr. Rhodes stated that testifying is statutorily required, and determinant of the charge being rendered particularly independent of a warrant for arrest.

It was noted that historically, officers testified by written word and insured that all event elements were met, and the magistrates / judicial officials ensured that all elements were met, that there was probable cause, and that the charge was appropriate. Once the affidavit was dropped off, the officer would leave and return if necessary; assuming the magistrate had additional questions.

Mr. Rhodes critiqued this process noting that by attempting to increase safety in this manner – i.e. getting officers back on the street faster – you run the risk of potentially decreasing justice. It was agreed among all attending members that neither justice nor safety should be diminished and that there remains a need to find a solution to the AP time.

Chief District Court Judge Regan Miller expressed that the major delay appears to take place prior to going before the Magistrate. The recommendation was then made to invert the AP process by having defendants go before the magistrate prior to engaging with the Sheriff's Office.

Chief Collins noted that in the case of those who require hospitalization, officers would be expected to return, and both escort and supervise the defendant during this time, thus further diminishing their potential patrol time.

Chief Public Defender Kevin Tully expressed, that if a paper process is reinitiated, and officers are required to be called back in under the guise that there is a finding of no probable cause, then there should be a time limit in which the officer is required to return; failure to meet said time should result in the detained person being released – Mr. Tully's recommendation was agreed upon by meeting attendees - .

Mr. Ramos proposed the continued monitoring of this process. In addition, he recommended that all parties continue to work together to find an effective solution.

Agenda Item 3: Strategic Plan - Derrick Ramos

Discussion: Identified three strategic focus areas:

1. Racial Ethnic Disparities (RED)
 - a. Director of Criminal Justice Services Sonya Harper reviewed the current make up and activities of the RED group, W. Haywood Burns Institute's Relative Rate Indexing, National Development and Research Institute's online criminal justice specific implicit bias training, Securing of Equity Inclusion Specialist.
2. Diversion / Deflection
 - a. DA Merriweather stated, the group met in early March of 2019 and have started identifying what diversion resources currently exist within Mecklenburg County. The next step will be to document issues of

accessibility to said programs. This will inform what steps will be proposed by the diversion group. Current areas of focus are adult behavioral health diversion, juvenile justice pre-charge, juvenile justice behavioral health diversion. The group is looking to collaborate with local health care and educational systems / agencies. Ms. Harper noted that there are some financial resources available to further support diversion and deflection efforts via the Safety and Justice Challenge grant.

3. Increase the Effectiveness of CJAG

- a. Mr. Ramos reviewed the SCOT Analysis that was conducted, also noting concerns around attendance, participation and engaging in issues that are relevant to all attending parties. This group is looking to schedule individual interviews, with CJAG participants, then aggregate that information and present it to the full CJAG. A similar process will be initiated to help further improve communication among CJAG attendees.

Agenda Item 4: Attorney General

Discussion: Ms. Harper stated that the Attorney General has expressed interest in the pre-trial and bail policy work conducted in Mecklenburg County. She noted that the Attorney General previously visited the area over the summer, invited local members to participate in a round table discussion regarding pre-trial, and has have extended additional invitations to participate in convenings which are being held around the state. In addition, Ms. Harper noted that the Attorney General also challenged Mecklenburg County to identify additional work to be taken on in the jurisdiction. Mecklenburg County has agreed to:

1. Look at improving the meaningfulness of first appearance, this will be guided by Judge Miller.
2. Explore H and I felonies and their relationship to District Court headed by DA Merriweather - both are efforts to advance the efficiency of the County's local court-.
3. Further the utilization of citations in lieu of arrests, led by Sheriff Garry McFadden.

In addition, Mecklenburg County's Criminal Justice Services is looking at increasing collective efforts to engage town managers and law enforcement while working with the state to further promote the state text notification system.